



San Diego City Attorney **CASEY GWINN**

MEDIA RELEASE

FOR IMMEDIATE RELEASE: July 21, 1999

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CITY ATTORNEY AND DISTRICT ATTORNEY FILE CONSUMER FRAUD CHARGES AGAINST BRAKE DEPOT

San Diego City Attorney Casey Gwinn and District Attorney Paul Pfingst today announced the filing of a forty-eight count criminal complaint against Brake Depot, Inc., on charges of misleading advertising, theft, and contempt of a prior court order. The charges stem from a 1998 investigation into Brake Depot's advertising and business practices in San Diego by the California Bureau of Automotive Repair. Patrick Walby and Philip Walby, corporate officers of the company, are also named as defendants in the case.

The lawsuit, filed in San Diego Superior Court, charges violations on sixteen separate undercover "shops" at nine different Brake Depot locations in San Diego County. On each of the dates alleged in the complaint, the Bureau of Automotive Repair sent an undercover "shopper" into a Brake Depot store for the company's "\$99.88 friction reline" brake service. According to information provided by the Bureau, in each instance Brake Depot induced the undercover shopper into agreeing to unnecessary and costly repairs totaling as much as \$544.

The defendants were prosecuted for similar violations by the San Diego City Attorney and District Attorney in a 1996 civil case. The defendants paid \$100,000 to settle that case.

Any Brake Depot employee or former employee who may have information pertaining to the case should call the City Attorney's Help Line at (619) 533-5600.

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